

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	4:05CR3057
Plaintiff,)	
)	
vs.)	
)	
STEVEN L. MASCHMEIER,)	TENTATIVE
)	FINDINGS
)	
Defendant.)	

I am in receipt of the presentence investigation report and the defendant's objections (filing 27). See, Order of October 3, 2005. Defendant has filed an objection but does not request an evidentiary hearing. The objection will be considered at the time of sentencing.

IT HEREBY IS ORDERED:

(1) The parties are herewith notified that my tentative findings are that the presentence report is otherwise correct in all respects;

(2) If any party wishes to challenge these tentative findings, said party shall, as soon as possible, but in any event at least five (5) business days before sentencing, file in the court file and serve upon opposing counsel and the court a motion challenging these tentative findings, supported by (a) such evidentiary materials as are required (giving due regard to the requirements of the local rules of practice respecting the submission of evidentiary materials), (b) a brief as to the law and (c) if an evidentiary hearing is requested, a statement describing why an evidentiary hearing is necessary and how long such a hearing would take;

(3) Absent submission of the information required by paragraph 3 of this order, my tentative findings may become final;

(4) Unless otherwise ordered, any motion challenging these tentative findings shall be resolved at sentencing.

DATED December 12, 2005.

BY THE COURT

s/ *David L. Piester*

David L. Piester

United States Magistrate Judge